

REMARKS

Claims 1-47 are pending in the present application, which claims are subject to a restriction requirement. The Examiner provides that the pending claims are directed to more than one patentably distinct species of the claimed invention. Specifically,

I. Claims 1-16 and 30-38, drawn to a solid-state image device, classified in class 257, subclass 252; and

II. Claims 17-29 and 39-47, drawn to a method of fabricating the device, classified in class 438, subclass 48.

Accordingly, the Applicant was requested under 35 U.S.C. §121 to elect the invention to which prosecution on the merits will be restricted. In this regard, the Applicant elects Group I, i.e., claims 1-16 and 30-38, without traverse. Claims 17-29 and 39-47 are withdrawn without prejudice.

It is respectfully submitted that the subject application is in a condition for allowance. Early and favorable action is requested.

If for any reason a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge or credit Deposit Account No. 04-1105 under order no. 60,803 (49381).

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Respectfully submitted,

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